Case 1:16-cv-07462-VEC Document 37 Filed

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Plaintiff,

Plaintiff,

Plaintiff,

SOUTHER BERRY HILL,
DAVID BERRY HILL,
AND BERRY-HILL GALLERIES, INC.

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16-CV-7462 (VEC)

CORDER

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## VALERIE CAPRONI, United States District Judge:

WHEREAS the parties appeared for a status conference on June 2, 2017; and WHEREAS Defendants have missed multiple deadlines to produce discovery without good cause;

Defendants.

X

## IT IS HEREBY ORDERED that:

- 1. Defense counsel must inform his clients that if Defendants miss one more discovery deadline, Plaintiff may move for sanctions, and the Court will look upon such a motion favorably.
- 2. Defendants' corporate disclosures pursuant to Federal Rule of Civil Procedure 7.1 are due no later than **June 12, 2017**.
- 3. If the parties wish to enter into a protective order, they must submit the protective order to the Court no later than **June 14, 2017**. If the parties do not submit a protective order by June 14, 2017, Defendants must produce discovery without a protective order.
- 4. Defendants must produce all paper discovery—including verified interrogatories and any documents—to Plaintiff no later than **June 16, 2017**.

5. No later than **June 9, 2017**, Plaintiff must inform Defendants of the court reporter selected for depositions and the address for that court reporter's office where all depositions in this case will take place. Plaintiff's deposition will take place on **June 22, 2017**, at 10:00 a.m., at the selected court reporter's office. Defendants' depositions will take place on **July 5 and 6**, **2017**, at 10:00 a.m., at the same court reporter's office.

6. Subject to further development of the factual record, it appears this Court has supplemental jurisdiction over Plaintiff's state law claims pursuant to 28 U.S.C. § 1367(a) because Plaintiff's FLSA and state law claims appear to stem from the "same common nucleus of operative fact." *Montefiore Med. Ctr. v. Teamsters Local* 272, 642 F.3d 321, 332 (2d Cir. 2011) (quoting *United Mine Workers v. Gibbs*, 383 U.S. 715, 725, (1966))

SO ORDERED.

**Date: June 2, 2017** 

New York, New York

VALERIE CAPRON

**United States District Judge**